

Application No.: 10/562,383
Attorney Docket No.: 47675-065US0
First Applicants' Name: Cathy Lofton-Day
Application Filing Date: 13 June 2007
Office Communication Dated: 13 April 2010
Date of Response: 13 September 2010
Examiner: Frank Wei Min Lu

REMARKS

Claims 1-8, 10-43, 45-51, 53, 55, and 57-59 are pending.

Claims 46-51, 53, 55, and 57-59 have been cancelled herein without prejudice.

Claims 1-8, 10-43, and 45 have been subjected to further restriction by the Examiner.

Initial required election

Applicants thank the Examiner for accepting Applicant's election of **Group I** (claims 1-45) to be examined with respect to SEQ ID NOS:5, 312, 313, 428, and 429, and the left and right primers, and probes indicated in the Office Action.

Further required species election

In addition, the Examiner is requesting an election of species from among species 1 and 2:

(1) said expression level is determined by detecting the presence, absence or level of mRNA transcribed from said gene or sequence (claim 4)

(2) said expression level is determined by detecting the presence, absence or level of a polypeptide encoded by said gene or sequence (claims 5 and 6)

Applicants elect (1) (claim 4), without traverse.

Claims 1-3, 7, 8, 10-43, and 45 are generic.

Upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species, written in dependent form or otherwise requiring all limitations of an allowed generic claim

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Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request entry of the present Response and allowance of all claims as presented herein. The Examiner is encouraged to phone Applicants' attorney, Barry L. Davison, to resolve any outstanding issues and expedite allowance of this application.

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Respectfully submitted,
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